

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



August 6, 1998

ALL COUNTY LETTER NO. 98-62

TO: ALL COUNTY WELFARE DIRECTORS
CalWORKs PROGRAM SPECIALISTS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☒ Clarification Requested by
One or More Counties
- ☒ Initiated by CDSS

**SUBJECT: DISREGARD FOR DISABILITY-BASED UNEARNED INCOME TO
CHILDREN FROM A DISABLED PARENT**

The purpose of this letter is to provide further guidelines for the provision of the disability-based income disregard to children. Effective January 1, 1998, Welfare and Institutions Code Section 11451.5 was enacted to allow the \$225 disregard for disability-based unearned income including State Disability Insurance benefits, private disability insurance benefits, Temporary Workers' Compensation benefits, and social security disability benefits. When children receive income that is the result of a parent receiving disability-based unearned income, whether the parent is in or out of the assistance unit, the income to the child is considered disability-based and shall qualify for the \$225 family disability-based unearned income disregard. Social Security Survivor benefits do not qualify for the disability-based unearned income disregard.

All county welfare departments are required to identify any case where the disability-based unearned income disregard was not extended to children of a disabled parent, correct the case, and issue a corrective underpayment no later than October 1, 1998.

If you have any questions regarding the treatment of disability-based unearned income please contact Marilyn Delgado at (916) 653-5830 or CALNET 453-5830.

Sincerely,
Original Document Signed By
Bruce Wagstaff on August 6, 1998
BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

c: CWDA
CSAC